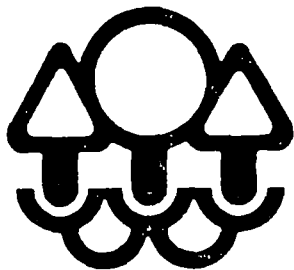


Darryl Weakley

US EPA RECORDS CENTER REGION 5



466129



## Minnesota Pollution Control Agency

April 9, 1982

Patrick J. Roche, Jr.  
Attorney  
1000 Lincoln Building  
P.O. Box 958  
Virginia, Minnesota 55782

Dear Mr. Roche:

Receipt is acknowledged at this time regarding your March 12, 1982 correspondence to the Minnesota Pollution Control Agency (MPCA) concerning Irathane Systems, Incorporated of Hibbing. As you recall, the MPCA requested Irathane (in a February 23, 1982 letter) to respond to several questions related to the firm's past management of MOCA and to a complaint (MPCA) staff had received regarding Irathane's alleged sewerage of hazardous wastes. This letter will comment on your response and outline several additional questions the MPCA asks of Irathane.

To clarify a point made early in your letter, the current survey involving disposal of MOCA in the Hibbing Sanitary Landfill and Kitzville Dump is a result of a St. Louis County Health Board request to the MPCA at its January 28, 1982 monthly meeting. The county asked for MPCA assistance in obtaining this information so that the county may request the cooperation of firms like your own in conducting studies at the Hibbing Sanitary Landfill and Kitzville Dump. Please note that it is a survey and not an investigation and that its purpose is to assist the county. We have up to this time made demands, relating to the landfill and dump, only to the county since we believe that at this time we must first learn what the impact is at these facilities and what remedial measures are necessary rather than what the past source(s) of the relevant chemical wastes were. You should be aware of this since both you and several Irathane employees were in attendance at that particular meeting.

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It is and has been the MPCA's position to work with St. Louis County staff towards bringing the Hibbing Sanitary Landfill operation and closed Kitzville Dump into total compliance with existing Minnesota Solid and Hazardous Waste Rules. MPCA staff have also been assisting county staff in managing the co-disposal operations involving Irathane's non-hazardous industrial wastes because of problems associated with the firm's handling of their hazardous wastes. As you are aware, on February 11, 1981 the MPCA put Irathane on notice as a responsible party for potential chemical waste problems at the two (2) aforementioned disposal sites. The MPCA's notice is still to be considered in effect.

You make reference, on several occasions, to documentation and information apparently sent to the MPCA on May 9, 1980 related to Irathane's operations. An extensive check of MPCA Roseville (central office) and Duluth (regional office) files has not produced the documents you have described. A further check with Environmental Protection Agency (EPA) Region V staff in Chicago has also failed to uncover the May 9, 1980 documents. A photocopy of these documents would be useful for MPCA files.

With regard to the more specific inquiry responses noted in your letter, the following comments and questions are made:

1. None.
2. Irathane records noted that at least 122,063 pounds of MOCA was used by the firm between 1977-1981. Mention was made however that no MOCA supply records were kept by the firm prior to 1977. What kind of generalization can be made about the quantity (in pounds) of MOCA utilized by Irathane during the period 1965-1976?
3. Who is Irathane's current supplier of MOCA?
4. Your letter stated that before June 1979, Irathane's surplus MOCA was neutralized and added to prepolymers to form polyurethane prior to disposal at the Kitzville Dump and Hibbing Sanitary Landfill. What is surplus MOCA, how was it derived and what was its physical form (solid, liquid, gel)? Was surplus MOCA always neutralized prior to disposal? Was the MOCA and prepolymer completely reacted and what was (were) the final physical form(s) of the material when disposed of? These questions, hopefully, will clarify the ambiguity noted in previous MPCA correspondence to Irathane.

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You also stated that after June, 1979 Irathane disposal consisted only of emptied MOCA pails and plastic bag liners at approved sites. What were the approved sites? What became of surplus MOCA generated after June, 1979?

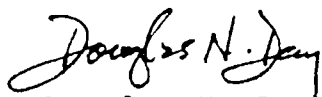
The above questions should be answered as best as possible by Irathane staff and a written submittal of Irathane's response returned to the MPCA by April 25, 1982.

I spoke with Mr. Don Moore, Irathane Vice President, on March 1, 1982 regarding the MPCA's earlier request to Irathane to respond to a complaint involving alleged sewerage of hazardous wastes by the firm into the Hibbing municipal sewer system. I mentioned to Mr. Moore that the complaint alleged sewerage as recently as December, 1981 of unspecified hazardous wastes at the firm's operation and he agreed to respond to the allegation including any earlier plant situations which may be related to the most recent complaint received. The MPCA repeats its original request to Irathane to respond to this complaint by no later than April 25, 1982.

You requested various "red label" information furnished the MPCA be returned to Irathane at the earliest possible date. To the best of my knowledge, the information you are alluding to is not and never has been in the possession of the MPCA. I spoke with Ms. Marion Neudel, EPA official in Chicago regarding this information and she recalls that several cartons of documents were sent to Irathane some time ago. Apparently the information sent would appear to be the "red label" information you had noted. Please note that the EPA conducted an independent investigation of Irathane as a result of a complaint that they received. Therefore, contact Ms. Neudel if you should have any further questions regarding this information.

If you have any questions regarding this letter or wish to meet with me, please feel free to contact me at your earliest convenience.

Sincerely,



Douglas N. Day  
Regulatory Compliance Section  
Solid and Hazardous Waste Division

DND/rt

cc: Mr. William Valeri, President, Irathane Systems, Inc.  
Mr. Al Mitchell, Attorney, St. Louis County  
Mr. Dale Schroeder, Environmental Health Director  
Mr. John Pegors, MPCA Regional Director, Duluth  
Ms. Marion Neudel, Attorney, EPA Region V, Chicago

bcc: Darryl Weakley  
Doug Day